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2199 North Rainbow Boulevard Holdings, LLC

UNITED STATES DISTRICT COURT

CLARK COUNTY, NEVADA

HAYRI OLIVAS-ARENAS, individually,

Plaintiffs,

v.

HOBBY LOBBY STORES, INC. d/b/a HOBBY
LOBBY #679 d/b/a HOBBY LOBBY; 2100 NORTH
RAINBOW BOULEVARD HOLDINGS, LLC; DOES
1 through 100 and ROE CORPORATIONS 1 through
100, inclusive,

Defendants.

CASE NO.: 2:19-cv-00624-RFB-VCF

**STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES
(Sixth Request)**

Plaintiff, HAYRI OLIVAS-ARENAS ("Plaintiff"), through her counsel of record FARHAN R. NAQVI and PAUL G. ALBRIGHT of Naqvi Injury Law and Defendants, HOBBY LOBBY STORES, INC. d/b/a HOBBY LOBBY #679 d/b/a HOBBY LOBBY and 2199 NORTH RAINBOW BOULEVARD HOLDINGS, LLC, through their counsel of record MICHAEL P. LOWRY and ROBERT L. THOMPSON of WILSON ELSE MOSKOWITZ EDELMAN & DICKER, submit this STIPULATION AND ORDER TO EXTEND DISCOVERY (SIXTH REQUEST) pursuant to LR-26-4 for the Court's consideration:

I.

DISCOVERY COMPLETED TO DATE:

1. A Rule 26(f) Case Conference was held and a Discovery Plan/Scheduling Order was filed.
2. Plaintiff has made initial disclosures, and supplements thereto.
3. Defendants have made initial disclosures, and supplements thereto.
4. Plaintiff has propounded a first set of requests for production to Defendant 2199 North Rainbow Boulevard Holdings, LLC, to which responses were provided.
5. Plaintiff has propounded a first set of requests for production to Defendant Hobby Lobby Stores, Inc. d/b/a Hobby Lobby #679 d/b/a Hobby Lobby, to which responses were provided.
6. Plaintiff has propounded a first set of interrogatories to Defendant Hobby Lobby Stores, Inc. d/b/a Hobby Lobby #679 d/b/a Hobby Lobby, to which responses were provided.
7. Defendant 2199 North Rainbow Boulevard Holdings, LLC has propounded a first set of interrogatories to Plaintiff, to which responses have been provided.
8. Defendant 2199 North Rainbow Boulevard Holdings, LLC has propounded a first set of requests for production to Plaintiff, to which responses have been provided.
9. Plaintiff has propounded a second set of interrogatories to Defendant Hobby Lobby Stores, Inc. d/b/a Hobby Lobby #679 d/b/a Hobby Lobby, to which responses were provided.
10. Plaintiff has propounded a third set of interrogatories to Defendant Hobby Lobby Stores, Inc. d/b/a Hobby Lobby #679 d/b/a Hobby Lobby, to which responses were provided.
11. Subpoena duces tecum have been sent to various facilities and entities requesting records.
12. Deposition of Hobby Lobby employee, Apolinar Lopez.
13. A site inspection has been performed.
14. The parties have made initial and rebuttal expert disclosures.

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II.

DISCOVERY TO BE COMPLETED

1. Depositions of various witnesses including, but not limited to:
 - a. Defendant's FRCP 30(b)(6) designees;
 - b. Defendant's employees;
 - c. Plaintiff, currently set for August 19, 2020;
 - d. Plaintiff's treating physicians;
 - e. The parties retained experts; and
 - f. Other witnesses as needed
2. Additional written discovery; and
3. Other discovery as needed.

III.

**WHY DISCOVERY CANNOT BE COMPLETED IN THE TIME PROVIDED BY THE
SCHEDULING ORDER.**

Good cause exists to grant a discovery extension in this case. Due to the COVID-19 pandemic and resulting orders from the Governor, scheduling and arranging the remaining depositions, as well as conducting further discovery, has proven difficult. For example, Plaintiff has requested the deposition of Defendant's Rule 30(b)(6) witness. This witness would most likely be out of state and require travel to Nevada. During the initial phases of the pandemic, Hobby Lobby had to shut down most of its operations. With the recent increase in Covid-19 infections in Nevada and the southwest region, it is unclear if getting the witness to make arrangements to Nevada to appear for his or her deposition in the next 4-6 weeks would be feasible.

The parties request the extension of discovery by three months to allow for additional room to complete this, as well as other witness depositions, including expert depositions, and to make the

necessary safety/travel accommodations for the witnesses to appear. The parties also seek additional time to conduct any other discovery deemed necessary. Therefore, the parties are being proactive by requesting that discovery be extended to the time frame below:

IV.

PROPOSED SCHEDULE FOR COMPLETEING REMAINING DISCOVERY

DISCOVERY	CURRENT DEADLINE	PROPOSED DEADLINE
Interim Status Report	Closed	Closed
Initial Expert Disclosure	Closed	Closed
Rebuttal Expert Disclosure	Closed	Closed
Close of Discovery	September 7, 2020	December 7, 2020
Dispositive Motions	October 6, 2020	January 7, 2021
Pretrial Order	November 9, 2020	February 9, 2020

DATED this 6th day of August, 2020.

NAQVI INJURY LAW

BY: /s/ Paul G. Albright

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DATED this 6th day of August, 2020.

**WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER LLP**

BY: /s/Robert L. Thompson

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If dispositive motions are filed, the deadline for filing the joint pretrial order will be suspended until 30 days after decision on the dispositive motions or further court order.

ORDER

It is so ordered.

Dated this 7th day of August, 2020.

UNITED STATES MAGISTRATE JUDGE